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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,457	10/15/2004	Peter Neumann	112740-1017	9884
29177	7590	12/12/2007		
BELL, BOYD & LLOYD, LLP			EXAMINER	
P.O. BOX 1135			DOAN, KIET M	
CHICAGO, IL 60690				
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			12/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/511,457

Applicant(s)

NEUMANN, PETER

Examiner

Kiet Doan

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is response to Remarks file on 10/10/2007.

Claims 1, 15, 16 are amended.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 9, 15, 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 9, 15, the phrase "in an area affect by an event" and similar recited in claim 16, line 1 "for controlling establishing of a connection from an area affect by an event" and line 3 "in the area of the event" that nowhere found in specification which generate broader limitations.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 9, 10, 15, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jang et al. (US 2002/0173316 A1) in view of Koorapaty et al (UA 6,289,211B1).

Consider **claim 9, 15, 16**. Jang teaches a method for controlling establishment of connections to mobile stations present in an area affect by an event (Abstract, Paragraph [0024] teach provide connection in an event of emergency overload), the method comprising:

transmitting a sequence in a message sent to the mobile stations in at least one cell of a mobile radio network present in the area (Paragraphs [0032-0033] teach BSC compose the message and transmitted to mobile repeatedly which read on transmitting a sequence in a message sent to the mobile). Jang teaches the limitation of claims as discuss above **but silent on** and

providing that a connection only be established from a mobile station in the area to a destination called by the mobile station if the mobile station requesting the connection establishment communicates the sequence.

In an analogous art, Koorapaty teaches "Method for determining the position of a mobile". Further, **Koorapaty teaches** and

providing that a connection only be established from a mobile station in the area to a destination called by the mobile station if the mobile station requesting the connection establishment communicates the sequence (Abstract, C1, L65-67, C2, L1, 1-2, Column 3, teach the AMPS system provide a distinct frequency band and only mobile station 16 can be use which read on destination called and wherein the base station cause mobile station to transmit sequence message).

It would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Jang and Koorapaty system, such that in an

area of affect by an event, transmitting a sequence in a message sent to the mobile stations and provided connection from a mobile station to a destination called if the mobile station requesting the connection establishment communicates the sequence to provide means for the users capable transmitted or received service without interrupt or disconnect during emergency or system overload.

Consider **claim 10**. Koorapaty teaches a method for controlling establishment of connections to mobile stations as claimed in claim 9, wherein the sequence is transmitted as a cell broadcast short message (C3, L21-37 teaches the base station sends control message to mobile station that contain message word which inherent that the sequence is transmitted as cell broadcast short message).

Consider **claim 14**. Jang teaches a method for controlling establishment of connections of mobile stations as claimed in claim 9, further comprising scanning at least one of telephone numbers and mobile station device numbers of the mobile stations in the area to substantially ascertain which of the mobile stations are present in the area (Paragraphs [0027-0028] teach mobile terminal having unique identifying numbers therefor knowing which of the mobile stations are present in the area mobile station).

6. **Claims 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jang et al. (US 2002/0173316 A1) in view of Koorapaty et al (UA 6,289,211B1).

Consider **claim 11**. Jang and Koorapaty teach the limitation of claims as discuss above **but silent on** a method for controlling establishment of connections of mobile stations as claimed in claim 9, wherein the sequence is transmitted as a circuit switched group call.

In an analogous art, Schmidt teaches "Controlling communications terminal response to group call page based on group call characteristic". Further, **Schmidt teaches** a method for controlling establishment of connections of mobile stations as claimed in claim 9, wherein the sequence is transmitted as a circuit switched group call (C6, L10-45 teach wireless communication system controlling/overseeing group call).

It would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Jang, Koorapaty and Schmidt system, such that controlling establishment of connections of mobile stations wherein the sequence is transmitted as a circuit switched group call to provide means for plurality of mobile station can getting connection in an disaster/emergency area.

Consider **claims 12, 13**. The method for controlling establishment of connections of mobile stations as claimed in claim 9, wherein the transmission of the sequence occurs via an SIM application toolkit of a mobile station, the SIM application toolkit prompting the mobile station to transmit data representing at least one of a telephone number of the mobile station and a terminal number of the mobile radio to one of the mobile radio network and a destination (office notice and well know in the art that mobile device contain SIM card which representing telephone number of the mobile station and

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subscriber ID number of the mobile station).

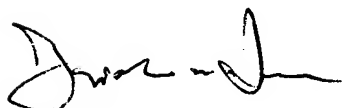
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863.

The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kiet Doan
Patent Examiner



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER